

Breakdown of Immigration Legislation – S. 744

Border Security

- The Department of Homeland Security (DHS) Secretary must develop a “Comprehensive Security Strategy” and “Southern Border Fencing Strategy” (700 miles of fencing) within six months.
- Additionally, Senator Manchin cosponsored the Border Security and Enforcement amendment introduced by Senators Hoeven and Corker. This amendment states that each of the 5 requirements below must be satisfied before any undocumented immigrant is granted a green card.
 - 700 miles of fencing must be constructed along the Southern Border.
 - 20,000 additional Border Patrol agents must be stationed along the Southern Border.
 - E-Verify must be fully implemented for all employers to ensure undocumented workers are not employed.
 - An electronic entry/exit system must be fully implemented at all international airports and sea ports.
 - The Department of Homeland Security Secretary must submit a Border Security plan to Congress that identifies the minimum requirements to secure the border, which include towers, ground sensors, thermal imaging, unmanned aircraft systems, and Blackhawk helicopters.

Additional Security Measures

- E-Verify: All employers must have e-verify systems within 5 years (currently 91% of employers use E-Verify). Fraud-proof documents will be required for ID verification but a national ID card will be legally prohibited.
 - Photo matching- Employers must certify the photo presented in person matches the photo in the E-Verify system.
- Interior Enforcement: Tightens restrictions on inadmissibility for multiple convictions, gang-related activities, driving while intoxicated, child abuse, and similar crimes. Creates a mandatory exit verification system.

Pathway to Citizenship and Legal Immigration

- *Registered Provisional Immigration Program*
 - **Only** immigrants who entered the U.S. *before* December 31, 2011, and have been physically present since that time will be eligible to apply for “Registered Provisional Immigrant (RPI)” status.
 - All RPIs must:
 1. pass a background check;
 2. not be convicted of a serious crime;
 3. Learn English and civics;
 4. pay any assessed taxes; and
 5. pay a \$500 fine.
 - Initial registration lasts for only six years, and renewals are subject to an *additional* background check, payment of taxes, and another \$500 fee.

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- *After 10 years*, RPIs can apply to be permanent residents. They must pay an additional \$1000 fee (\$2,000 total by then), pass *another* background check, prove they can speak English, pay taxes, and fulfill an employment requirement.
- *After 3 more years*, these permanent residents can apply for U.S. citizenship.
- **DREAM Act's Expedited Plan:** After 5 years, DREAM RPIs may apply for permanent status and naturalization. Individuals may apply for DREAM RPI status if they:
 1. entered the U.S. before they were 16 years of age;
 2. have completed high school or have a GED; **and**
 1. have acquired a degree from an institution of higher education,
 2. have completed 2 years toward a bachelor's degree or higher, or
 3. have served in the military for 4 years.
- **Agricultural Program**
 - Undocumented farm workers with proof of working 100 days, in the past two years, are eligible for the Agricultural Card (Blue Card).
 - Those who work 100 days a year for 5 years or 150 days a year for 3 years can apply for permanent residence *if* they have paid all taxes, have not been convicted of a serious crime and pay a \$400 fine.

Visa Reform

- **H-1B (High-Skilled Labor):** 110,000 visas will be made available, but it can increase to 230,000; however, Senator Manchin is working with his colleagues on an amendment to ensure employers recruit American workers first.
- **New Worker "W" (low-skilled labor):** 20,000 visas for lower-skilled workers will initially be available, and it will only increase to 75,000 in four years.
- **New Merit Based System:** 120,000 visas available. Half of these visas are for high-skilled workers and the other half are for low-skilled workers. This will replace the current "green card" lottery system.

Senator Manchin's Amendment passed by a 72-26 Vote

- **Contractor Salaries:** This amendment passed the Senate by a 72-26 vote and is similar to an Amendment offered by Senator Manchin during last year's Defense Bill. Essentially, it sets a cap on private contractor salaries with respect to border security. The salary cap would be at the same level currently paid to Presidential cabinet secretaries. If a company wishes to pay more than that rate, it can only pay through private funds; taxpayers are only responsible for payments up to the cap.